

R E M A R K S

Claims 1-40 are pending in this Application.

Reconsideration and further prosecution of the above-identified application are respectfully requested in view the accompany Request for Continued Examination, and the amendments, and in view of the discussion that follows. Claims 1-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,611,590 to Lu et al. in view of U.S. Pat. No. 6,304,653 to O'Neil et al. and further in view of Barnes et al. (U.S. Pat. No. 6,757,731). In response, independent claims 1, 16 and 31 have been further amended to more precisely clarify the invention. After careful review of the claims as amended and the cited art, it is believed that the claims are in allowable form and therefore a Notice of Allowance is respectfully requested.

Independent claims 1, 16 and 31 have been amended to call for continuously scanning idle input stack locations of a protocol stack of the client. Support may be found in par. [0044 and 0045] of the specification.

Claims 1-40 have been rejected as obvious over Lu et al., O'Neil et al., and Barnes et al. Lu et al. is directed to an Internet Interface Controller that merely routes calls but as the Examiner has observed, does not disclose independently spawning a call processing application.

Similarly, while O'Neil et al. initiates calls, it doesn't independently spawn a call processing application with a first end of the independently spawned call processing application operatively coupled to a predetermined protocol stack of the selected agent and with a second end of the independently spawned call processing application operatively coupled to a protocol stack of the client. Further, as stated by the Examiner, O'Neil et al. does not disclose a protocol stack of the agent and protocol stack of the client being disposed inside the private computer network and wherein communication between the predetermined protocol stack of the agent and protocol stack of the client operates under a first protocol and communication between the protocol stack of the client and the client through the public communication network operates under a second protocol. Rather, for VoIP calls, the O'Neil et al. system operates to "communicate directly with the user through the data network via voice telephony" (O'Neil et al., col. 7, lines 13-15). For PSTN calls, the O'Neil et al. system functions to "initiate a call to the user and initiate a second call to the call assistance device 400 to the telephone network interface 420, for example, and then bridge the two calls" (O'Neil et al, col. 9, lines 30-33). As such, O'Neil et al. operates under a single end-to-end protocol for either Internet or PSTN calls.

In addition, because O'Neil et al. operates under a single protocol, there wouldn't be no use for a protocol stack of the agent and protocol stack of the client . . . disposed within the private computer network. This is especially true since O'Neil et al. preserves the separate nature of data network voice telephony and switched circuit voice telephony. In addition, the call spawning device discussed at Col. 10, lines 60 to Col. 12, line 4 is a device which merely monitors actions of the user device 20, and initiates calls without request by the subscriber.

This does not disclose the claimed independently spawning of a call processing application, nor is there any teaching of scanning idle input stack locations or coupling a first end to a protocol stack of the agent and a second end to the protocol stack of the client.

Barnes et al. discloses interfacing protocol stacks in a communications network but does not disclose scanning idle input stack locations, and provides no suggestion to combine its protocol stacks system with the single end-to-end systems of Lu et al. and O'Neil et al. In Barnes et al., protocol messages generated by the first protocol stack 211 is sent to the second protocol stack 221 via the VCCT subsystem 270 (Col. 4, lines 50-53) and are internally interconnected via the VCCT subsystem (Col. 12, lines 26-28). Thus, O'Neil et al. protocol stacks are physically connected by a VCCT subsystem not coupled by an

independently spawned application operatively coupled to a protocol stack of the agent and to the protocol stack of the client. Further, O'Neil et al. does not disclose continuously scanning idle stack locations, or independently spawning a call processing application as claimed.

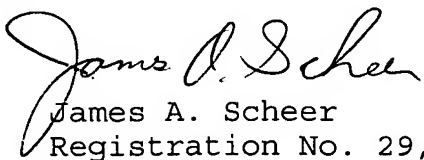
Since the combination of Lu et al., O'Neil et al. and Barnes et al. fails to provide any teaching of independently spawning a call processing application, continuously scanning idle input stack locations, or an independently spawned application operatively coupled to the protocol stack of the agent and to the protocol stack of the client, the combination fails to teach or suggest each and every claim limitation. Because the combination fails to teach or suggest each and every claim limitation, the claims are distinguishable over the combination of cited references. In addition, since O'Neil et al. operates under a single protocol, there is no motivation, or suggestion to combine Barnes et al. protocol stacks with O'Neil et al. To rely on the advantages of the invention as a motivation is merely use of hindsight to combine the references. Therefore, the combination is believed to be improper, the claims are further distinguishable for this reason as well.

The allowance of claims 1-40 as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would

expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

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